

SOCIAL SECURITY ADMINISTRATION (SSA)**Statement of Regulatory Priorities**

The Social Security Administration (SSA) administers the retirement, survivors, and disability insurance programs under title II of the Social Security Act (the Act), and the supplemental security income (SSI) program under title XVI of the Act. For the most part, SSA's regulations do not impose burdens on the private sector or on State or local governments. Its regulations codify the requirements for entitlement to benefits under its programs.

SSA's five entries for The Regulatory Plan represent areas of major importance in benefit program administration. The first entry, Revised Medical Criteria for Determination of Disability; Musculoskeletal System, furthers the agency priority to improve our disability determination procedures. Musculoskeletal listings of impairments will be updated to make them consistent with the latest advances in medicine. Updated listings will facilitate making the correct disability determination as quickly and efficiently as possible.

Effective stewardship of social security programs requires mechanisms to assure that benefits are used to meet the needs of beneficiaries who are not able to manage their own benefits due to legal incompetence or medical infirmity. The law requires that benefits be paid to a representative payee on behalf of the beneficiary in such circumstances. Two of SSA's regulatory plan entries, Representative Payment Reforms and Representative Payment Provisions for Individuals Based on Drug Addiction and Alcoholism, carry out recent legislative provisions to assure program integrity through payment to representative payees.

In response to the Reinventing Government initiative to create a Federal Government that works better and costs less, SSA lists two regulatory initiatives. Cycling Payment of Social Security Benefits for future beneficiaries is designed to pay social security benefits on several payment dates each month instead of making all the payments on the same date, as is current practice. The current use of one payment date creates a workload spike each month for SSA, for other Federal agencies, for financial institutions, and other businesses that participate in or depend on issuance of social security benefits. It has become exceedingly difficult for customers to access SSA services on or around "check day."

Spreading the issuance of benefit payments throughout the month and reducing workload spikes for SSA and others will result in better service to our customers. As a result, customers will have better access to SSA personnel and services in field facilities and through use of SSA's national 800 number teleservice network. Current beneficiaries can expect to continue to receive their benefit payments on the third of each month. The additional payment dates will be assigned to new beneficiaries as their benefit awards are processed.

The second entry related to a Reinventing Government initiative is Provide "One-Stop" Service to Aliens Applying for Social Security Cards. The goal of this initiative is to coordinate services to customers who, under current procedures, must deal with multiple Federal agencies to establish their status as alien residents of the United States. The proposed regulatory authority would support a pilot project with INS whereby it would transmit data to SSA electronically so that SSA can issue social security numbers to certain resident aliens.

Consistent with the President's Regulatory Reinvention Initiative, SSA is working diligently to improve program benefit regulations and to develop partnerships with large segments of the community of stakeholders interested in Social Security programs. The partnerships are expected to contribute to the successful development of SSA regulatory plan entries.

SSA**PROPOSED RULE STAGE****148. FEDERAL OASDI AND SSI FOR THE AGED, BLIND, AND DISABLED; REPRESENTATIVE PAYMENT PROVISIONS FOR INDIVIDUALS DISABLED BASED ON DRUG ADDICTION OR ALCOHOLISM (507P)****Priority:**

Other Significant

Reinventing Government:

This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority:

PL 103-296, sec 201; 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation:

20 CFR 404.2001; 20 CFR 404.2010; 20 CFR 404.2021; 20 CFR 404.2040; 20 CFR 404.2040a; 20 CFR 404.2053; 20 CFR 416.621; 20 CFR 416.640; 20 CFR 416.640a; 20 CFR 416.655

Legal Deadline:

None

Abstract:

We propose to revise our regulations to extend the representative payee requirement, which now applies only to recipients of supplemental security income (SSI) benefit payments, to Social Security disability insurance (DI) beneficiaries whose drug addiction or alcoholism is material to a finding of disability.

Statement of Need:

These regulations are needed to implement the representative payment requirements of the Social Security Independence and Program Improvements Act of 1994.

Summary of the Legal Basis:

Section 2 of P.L. 103-296 extends the representative payee requirement, which now applies only to supplemental security income recipients, to Social Security disability insurance beneficiaries.

Alternatives:

None

Anticipated Costs and Benefits:

Effective stewardship of SSA programs requires mechanisms to assure that benefits are used to meet the needs of beneficiaries who are not able to manage their own benefits due to legal incompetence or medical infirmity. As part of the Social Security Improvements Act of 1994 Congress determined that individuals who receive social security disability insurance benefits whose drug addiction or alcoholism is material to the finding of disability must have representative payees. Preliminary estimates are that these regulations will have no effect on SSA program costs. Any administrative costs are part of legislative implementation and further our program integrity efforts.

Risks:

Since basically all these regulations do is implement the statute, we see no risks associated with them.

Timetable:

Action	Date	FR Cite
NPRM	10/00/95	
Final Action	09/00/96	

Small Entities Affected:

Governmental Jurisdictions,
Organizations

Government Levels Affected:

State

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SSA**149. • CYCLING PAYMENT OF SOCIAL SECURITY BENEFITS (558P)****Priority:**

Economically Significant

Reinventing Government:

This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority:

42 USC 405(a); 42 USC 407; 42 USC 902(a)(5); 42 USC 401(j); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 421(d); 42 USC 405(i); 42 USC 909

CFR Citation:

20 CFR 404.1805; 20 CFR 404.903

Legal Deadline:

None

Abstract:

This Reinventing Government initiative would result in staggered payment to new beneficiaries over a number of payment dates throughout the month to eliminate workload spikes and allow the Social Security Administration to provide better customer service without adding staff. Current beneficiaries and all Supplemental Security Income recipients will be unaffected by these regulatory changes.

Statement of Need:

This regulation is necessary to implement a Reinventing Government initiative.

Summary of the Legal Basis:

These changes are not required by statute or court order.

Alternatives:

None

Anticipated Costs and Benefits:

Payment cycling is proposed as both an immediate and long-term strategy to help the Agency improve service and better manage its resources. By leveling workloads, it will allow the public better access to SSA's field office and toll-free 800 number services. While the proposed change in payment patterns may result in some incidental savings from management and operational efficiencies, cycling is not expected to produce significant workyear savings. Cycling will benefit the business and banking communities in that they will be better able to utilize their resources throughout the month to serve their customers. Cycling will reduce the risk to the Federal government, the financial community, and to beneficiaries by reducing the volume of financial transactions passing through the payment system at any one time in the month.

Risks:

This change in payment cycling, which will affect new beneficiaries who file claims, should pose no risks to our claimant population.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
Final Action	05/00/96	

Small Entities Affected:

Businesses

Government Levels Affected:

Federal

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SSA**150. • PROVIDE "ONE-STOP" SERVICE FOR ALIENS APPLYING FOR SOCIAL SECURITY CARDS (569P)****Priority:**

Other Significant

Reinventing Government:

This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority:

42 USC 405; 42 USC 1383

CFR Citation:

Not yet determined

Legal Deadline:

None

Abstract:

Aliens will apply for Social Security cards at the same time they complete Immigration and Naturalization Services (INS) paperwork. Currently, alien applicants are required to furnish almost the same information to both SSA and INS. This one-stop service will reduce the potential for issuing Social Security cards based on fraudulent INS documents, and will result in efficiencies for the Government.

Statement of Need:

This regulation is necessary to implement a Reinventing Government initiative.

Summary of the Legal Basis:

These changes are not required by statute or court order.

Alternatives:

Not yet determined

Anticipated Costs and Benefits:

While the full impact of this change has not yet been determined, it is expected to reduce fraud based on false INS documents and to result in efficiencies for the Government of approximately \$18 million over 5 years.

Risks:

At this time we have not identified any risks associated with the proposal.

Timetable:

Action	Date	FR Cite
NPRM	07/00/96	
Final Action Effective	09/00/96	

Small Entities Affected:

None

Government Levels Affected:

Federal

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SSA**FINAL RULE STAGE**

**151. OLD-AGE, SURVIVORS, AND
DISABILITY INSURANCE PROGRAM;
REVISED MEDICAL CRITERIA FOR
DETERMINATION OF DISABILITY;
MUSCULOSKELETAL SYSTEM (143F)**

Priority:

Other Significant

Reinventing Government:

This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority:

42 USC 902(a)(5); 42 USC 405; 42 USC 1383

CFR Citation:

20 CFR 404.1500ff, appendix 1

Legal Deadline:

None

Abstract:

Sections 1.00 and 101.00 of Appendix 1 to the disability regulations at 20 CFR 404.1501 through 404.1599 describe those musculoskeletal impairments which are considered severe enough to prevent a person from doing any gainful activity or age-appropriate activities. Comprehensive revisions to these sections are proposed to ensure that the medical evaluation criteria are up to date and consistent with the latest advances in medicine. The SSI program incorporates by reference and uses the same medical criteria as the old-age, survivors, and disability insurance program.

Statement of Need:

These regulations are necessary to update the musculoskeletal listing to reflect advances in medical knowledge, treatment, and methods of evaluating musculoskeletal impairments.

Summary of the Legal Basis:

Administrative--not required by statute or court order.

Alternatives:

None--Medical advances require that this listing be updated.

Anticipated Costs and Benefits:

These final regulations will have negligible program and administrative cost impact because, despite changes in terminology and emphasis, the proposed musculoskeletal system listings describe a level of severity comparable to the level of severity contained in the current listings.

Risks:

Since all this regulation will do is update the medical listing, we see no risks associated with these changes.

Timetable:

Action	Date	FR Cite
NPRM	12/21/93	58 FR 67574
NPRM Comment Period End	02/22/94	
Final Action	09/00/96	

Small Entities Affected:

None

Government Levels Affected:

None

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SSA

**152. OLD-AGE, SURVIVORS, AND
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
FOR THE AGED, BLIND, AND
DISABLED; REPRESENTATIVE PAYEE
REFORMS (295F)**

Priority:

Other Significant

Reinventing Government:

This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority:

PL 101-508, sec 5105

CFR Citation:

20 CFR 404.902; 20 CFR 404.2001; 20 CFR 404.2011; 20 CFR 404.2022; 20 CFR 404.2024; 20 CFR 404.2025; 20 CFR 404.2030; 20 CFR 404.2041; 20 CFR 404.2050; 20 CFR 416.601; 20 CFR 416.611; 20 CFR 416.622; 20 CFR 416.624; 20 CFR 416.625; 20 CFR 416.630; ...

Legal Deadline:

None

Abstract:

Effective stewardship at SSA programs requires mechanisms to assure that benefits are used to meet the needs of beneficiaries who are not able to manage their own benefits due to legal incompetence or medical infirmity. Congress determined that improvements to the representative payment procedures were needed to assure program integrity as part of P.L. 101-508. Any costs associated with these regulations are reflected in the President's budget as part of legislative implementation. They are required to further our program integrity efforts.

Statement of Need:

These regulations, which reflect certain provisions of PL 101-508, modify existing representative payee procedures by requiring the Social Security Administration to do a more extensive investigation of representative payee applicants; generally limiting to 1 month the deferral or suspension of direct payment of benefits pending selection of a payee; providing stricter standards in determining the fitness of representative payee applicants to manage benefit payments on behalf of beneficiaries; requiring SSA to repay to the beneficiary or an alternate payee, an amount equal to any misused funds resulting from SSA's negligent failure to investigate or monitor a representative payee; and requiring SSA to compile and maintain a centralized file of certain beneficiary and payee information.

These regulations are needed to reflect certain provisions of PL 101-508 (OBRA '90). Sections 205(a), 1102, and 1631(d) of the Act give the Commissioners broad power to make rules and carry out these provisions.

Summary of the Legal Basis:

These regulations implement section 5105 of Public Law 101-508.

Alternatives:

None

Anticipated Costs and Benefits:

Effective stewardship of SSA programs requires mechanisms to assure that benefits are used to meet the needs of beneficiaries who are not able to manage their own benefits due to legal incompetence or medical infirmity. Congress determined that improvements to the representative payment procedures were needed to assure program integrity as part of P.L. 101-508. Any costs associated with these regulations are reflected in the President's budget as part of legislative implementation. They are required to further our program integrity efforts.

Risks:

Since basically all these regulations do is implement the statute, we see no risks associated with these regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/15/94	59 FR 11949
NPRM Comment Period End	05/16/94	
Final Action	03/00/96	

Small Entities Affected:

None

Government Levels Affected:

None

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BILLING CODE 4190-11-F